

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
LUBBOCK DIVISION

KEVIN MATHIS,

Plaintiff,

v.

No. 5:20-CV-274-H-BQ

EXPERIAN INFORMATION  
SOLUTIONS,

Defendant.

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

United States Magistrate D. Gordon Bryant made Findings, Conclusions, and a Recommendation (FCR) in this case on May 21, 2021. *See* Dkt. No. 9. Judge Bryant recommended that the Court dismiss the case without prejudice for want of prosecution pursuant to Federal Rule of Civil Procedure 41(b). *Id.* No objections to the FCR were filed. The District Court has therefore reviewed the proposed FCR for plain error. *U.S. ex rel. Steury v. Cardinal Health, Inc.*, 735 F.3d 202, 205 (5th Cir. 2013) (“[P]lain error review applies when a party did not object to a magistrate judge’s findings of fact, conclusions of law, or recommendation to the district court, so long as the party was served with notice of the consequences of failing to object.”) (citing *Douglass v. United Servs. Auto. Ass’n*, 79 F.3d 1415, 1428 (5th Cir. 1996) (en banc), *superseded on other grounds by* 28 U.S.C. § 636(b)(1)). Finding no error, plain or otherwise, the Court accepts the FCR of the United States Magistrate Judge.

The plaintiff's claims against the defendant are dismissed without prejudice. The Court will enter a judgment in accordance with Federal Rule of Civil Procedure 58 in a separate document.

So ordered on June 14, 2021.



---

JAMES WESLEY HENDRIX  
UNITED STATES DISTRICT JUDGE